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**Public Advisory No. 2**

**Issued by the Interstate Commerce Commission**

**ARRANGING TRANSPORTATION  
FOR SMALL SHIPMENTS:  
SHIPPER RIGHTS, REMEDIES,  
AND ALTERNATIVES**



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*As a part of its continuing effort to ensure the availability of efficient and prompt interstate transportation service to the public, the Interstate Commerce Commission has prepared this Advisory to aid shippers and receivers of freight in obtaining transportation service from motor common carriers regulated by the Commission. Although the carrier obligations described in the Advisory are applicable to all movements of goods, we are aware of the particular importance of these obligations to shippers and receivers whose products must be transported in small quantities from or to persons in small or isolated communities. The Commission hopes that this Advisory will make both shippers and carriers aware of its intention to take direct action to guarantee that transportation service will be available for all types of shipments, regardless of their size, origin, or destination.*

A handwritten signature in cursive script, reading "George M. Stafford". The signature is written in dark ink and is positioned above the printed name and title.

**GEORGE M. STAFFORD**

**Chairman**

July 1972

# SOLVING YOUR SERVICE PROBLEM

Although less than one-tenth of one percent of the more than 300 million shipments transported by motor common carrier during 1970 were the subject of complaints, this Commission has received in recent years a growing number of shipper complaints as to motor carrier refusals to transport certain shipments. While all shippers occasionally have problems arranging for transportation, most service complaints come either from those who ship goods in small quantities, from shippers of certain types of traffic, or from persons in small or isolated communities.

If your company or organization experiences problems with motor carrier refusals to provide service **you should be aware that you, as a shipper, have an enforceable right to service** from all motor common carriers authorized to transport your products in interstate or foreign commerce. In addition, to assure yourself the best possible service on a continuing basis, you should be sure that you are using the means of transportation that is best suited to your shipping needs.

## OBTAINING ADEQUATE MOTOR CARRIER SERVICE

Most small shipments or shipments to or from isolated points are now transported by motor carriers, since these carriers not only provide a flexible service capable of handling shipments of all sizes, but also because many shippers and receivers are not located near rail facilities.

If you intend to ship goods by motor common carrier in interstate or foreign commerce, **the motor carrier you select must have a certificate of public convenience and necessity issued by this Commission authorizing the service you desire.** Often, a carrier will combine its operating authority with that of another carrier in an interchange arrangement to allow the movement of goods over the combined routes to a destination point not served by the originating carrier.

### Your RIGHT to Motor Carrier Service

EVERY regulated motor common carrier has a duty under the Interstate Commerce Act to serve the public equally and fairly and to accept and carry ALL goods offered for transportation, within the limits of its operating authority.

As a condition for retaining its certificate, a motor common carrier bears an obligation of rendering CONTINUOUS AND ADEQUATE service to the public to the fullest extent permitted under its operating authority.

### When May a Carrier Refuse to Provide Service?

As a result of the obligation to serve imposed by its operating authority, **a carrier may refuse to transport your shipments only if it lacks authority to perform the requested movement;** the size of shipment or its origin or destination do not justify a refusal to provide transportation.

In special situations, carriers are permitted to impose *temporary* suspensions of service ("embargoes") on certain traffic when they are unable to handle that traffic due to factors beyond their control, such as a lack of equipment or personnel. When a carrier has imposed an embargo on traffic to or from your location, it is required to notify our Bureau of Operations and indicate when the embargo will be lifted. The Bureau regularly investigates these embargoes to make certain that there are adequate grounds for restricting service.



If a carrier cannot provide prompt service following your request, it must notify you of the extent of the service delay anticipated and explain the reasons for its failure to give prompt service.

## **Enforcing Your Right to Service**

If a carrier refuses to transport one of your shipments, **your quickest recourse is to contact the nearest field office of this Commission** at any one of the 78 locations listed at the close of this Advisory.

On receiving your complaint, our field staff will take immediate action to see that carrier service is provided, often by assigning a staff member to investigate the service failure. The staff investigator will contact the carrier refusing service, determine if there was any justification for its refusal, and remind the carrier of its obligation to perform the services described in its certificate.

If your operations involve shipping to or from an isolated point, or if you are otherwise unsure as to which carriers have operating authority to carry your shipments, our field offices will be able to give you names of carriers known to be serving the involved locality.

## **Penalties for Failing to Provide Service**

The Commission has substantial penalties at its disposal to back up its informal directives to provide service.

**Carriers who refuse to perform the service required by their certificates are subject to prosecution,** and may be fined as much as \$500 per day for each refusal.

We are also aware of carriers with poor service records and often ask our Bureau of Enforcement to intervene in proceedings before us to oppose grants of additional operating authority to these carriers.

Failure to provide adequate service ultimately can be grounds for a temporary suspension or a complete revocation of a carrier's operating certificate.

## **SPECIALIZED TRANSPORTATION SERVICES**

Although most small shipments and movements to or from isolated points are transported by motor common carriers, shippers too often ignore other forms of transportation that specialize in handling certain types of small shipments. In particular shippers should consider these means of transportation as alternatives to motor common carriage:

**LOCAL CARTAGE COMPANIES—For shipments within a municipality or within a commercial zone surrounding a municipality, motor carriers may transport goods without a certificate from the Commission. Many firms engage exclusively in local cartage and provide efficient service.**

**FREIGHT FORWARDERS**—Specializing in small shipment service, freight forwarders consolidate small lots of goods into rail carload or motor truckload shipments and forward the goods to their destination using the services of other for-hire carriers. However, freight forwarder service is usually available only for goods moving between large metropolitan areas.

**EXPRESS COMPANIES**—Varying types of small shipment service to many locations are available from the two major express companies, REA Express and United Parcel Service, as well as from the package express service provided by many intercity bus companies. However, there are limitations on the services proffered by these companies and bus companies do not generally provide pickup and delivery service.

**FOURTH-CLASS MAIL (PARCEL POST)**—Most points in the United States can be reached by fourth-class mail service. However, there are weight and size limitations imposed on this service.

## **CONCLUSION**

To assist you in solving your shipping problem, our field staff of transportation specialists has been organized to investigate any complaints you may have about the transportation service available to you. In addition, we have taken a number of steps on a broader scale to ensure the availability of service for small shipments and isolated localities, including:

—amending all motor carrier certificates to remove restrictions limiting carriers to handling shipments in truckload lots only.

—approving new rates on small shipment traffic to make these shipments more economically attractive to carriers.

—issuing certificates for limited time periods or subject to special service requirements to ensure continuation of adequate service for small shipments and isolated communities.

—proposing legislation to Congress to give the Commission authority to require motor carriers to enter into joint-rate and through-route arrangements.

—permitting carriers to pool their traffic, to allow one carrier to give concentrated service to a number of smaller communities.

However, none of these actions alone can guarantee you better service; you as a shipper must protect your own interests by asserting your rights to adequate and continuous service and by notifying this Commission when you feel that your rights are not being observed.

With your cooperation and assistance, this Commission can take the action necessary to protect your RIGHT to be adequately served and at the same time improve service to all shippers, regardless of their place of business or the nature and size of their shipments.

**INTERSTATE COMMERCE COMMISSION**

**FIELD OFFICE LOCATIONS AND TELEPHONE NUMBERS**

<i>State</i>	<i>Address</i>	<i>Telephone</i>	<i>State</i>	<i>Address</i>	<i>Telephone</i>
<b>Ala.</b>	Birmingham 35203 2121 Bldg. Room 814 2121 Eighth Ave. North	205-325-3781	<b>Ill.</b>	Chicago 60604 Everett McKinley Dirksen Bldg. Room 1086 219 South Dearborn St.	312-353-6124 or 312-353-6125
<b>Alaska</b>	Anchorage 99510 G-31 Federal Bldg. P.O. Box 1532	907-272-3922		Springfield 62704 476 Land of Lincoln Bldg. 325 West Adams Street	217-525-4075
<b>Ariz.</b>	Phoenix 85025 3427 Federal Bldg. 230 North First Ave.	602-261-3834	<b>Ind.</b>	Fort Wayne 46802 345 West Wayne Street Room 204	219-422-6131
<b>Ark.</b>	Little Rock 72201 2519 Federal Bldg.	501-378-5821		Indianapolis 46204 Century Bldg. Eighth Floor 36 South Pennsylvania St.	317-633-7465
<b>Calif.</b>	Los Angeles 90012 7708 Federal Bldg. 300 North Los Angeles St.	213-688-4008	<b>Iowa</b>	Des Moines 50309 677 Federal Bldg. 210 Walnut Street	515-284-4416
	San Francisco 94102 13001 Federal Bldg. 450 Golden Gate Ave. P. O. Box 36004	415-556-5515	<b>Kans.</b>	Topeka 66603 234 Federal Bldg.	913-234-8661 Ext. 266
<b>Colo.</b>	Denver 80202 2022 Federal Bldg. 1961 Stout Street	303-837-3162		Wichita 67202 501 Petroleum Bldg. 221 South Broadway	316-267-6311 Ext. 209
<b>Conn.</b>	Hartford 06101 324 U.S. Post Office 135 High Street	203-244-2560	<b>Ky.</b>	Lexington 40505 222 Bakhaus Bldg. 1500 West Main Street	606-252-2312 Ext. 2511
<b>DC</b>	Washington 20423 ICC Building 12th & Const. N.W.	202-343-4671		Louisville 40202 426 U.S. Post Office 601 West Broadway	502-582-5167
<b>Fla.</b>	Jacksonville 32202 288 Federal Bldg. Bldg. Box 35008 400 West Bay Street	904-791-2551	<b>La.</b>	New Orleans 70113 T-9038 Federal Bldg. & U.S. Post Office 701 Loyola Avenue	504-527-6101 or 504-527-6102
	Miami 33155 105 Cox Bldg. 5720 S.W. 17th Street	305-350-5551	<b>Maine</b>	Portland 04112 305 U.S. Post Office & Courthouse 76 Pearl Street P.O. Box 167, P.S.S.	207-775-3131
<b>Ga.</b>	Atlanta 30309 Room 300 1252 West Peachtree St. N.W.	404-526-5371, 5307, and 5455	<b>Md.</b>	Baltimore 21201 814-B Federal Bldg. Charles Center 31 Hopkins Plaza	301-962-2560
<b>Idaho</b>	Boise 83702 455 Federal Bldg. and U.S. Courthouse 550 West Fort Street	208-342-2711 Ext. 2505			



<i>State</i>	<i>Address</i>	<i>Telephone</i>	<i>State</i>	<i>Address</i>	<i>Telephone</i>
<b>Mass.</b>	Boston 02203 John Fitzgerald Kennedy Building, Government Center, Room 2211B	617-223-2372	<b>NJ</b>	Newark 07102 902 Federal Bldg. 970 Broad Street	201-645-3550
	Springfield 01103 338-342 Federal Bldg. 436 Dwight Street	413-781-2420		Trenton 08608 204 Carroll Bldg. 428 East State Street	609-599-3511
<b>Mich.</b>	Detroit 48226 1110 David Broderick Tower Bldg. 10 Witherell Street	313-226-7245	<b>NY</b>	Albany 12207 518 New Federal Bldg. Maiden Lane & Broadway	518-472-2273
	Lansing 48933 225 Federal Bldg. 325 West Allegan St.	517-372-1910 Ext. 568		Buffalo 14202 612 Federal Bldg. 111 West Huron St.	716-842-2008
<b>Minn.</b>	Minneapolis 55401 448 Federal Bldg. & U.S. Courthouse 110 South Fourth St.	612-725-2326		New York 10007 26 Federal Plaza Room 1807	212-264-1072
<b>Miss.</b>	Jackson 39201 145 East Amite Bldg. Room 212	601-948-7821 Ext. 348 or 357		Syracuse 13202 104 O'Donnell Bldg. 301 Erie Blvd., West	315-473-3440
<b>Mo.</b>	Kansas City 64106 1100 Federal Bldg. 911 Walnut Street	816-374-5561	<b>NC</b>	Charlotte 28202 BSR Bldg., Suite 417 316 East Morehead St	704-372-0711 Ext. 451 or Ext. 452
	St. Louis 63101 210 North 12th Street Room 1465	314-622-4103		Raleigh 27611 624 Federal Bldg. 310 New Bern Ave. P.O. Box 26896	919-755-4650
<b>Mont.</b>	Billings 59101 251 U.S. Post Office	406-245-6711 Ext. 6261	<b>N. Dak.</b>	Fargo 58102 P.O. Box 2340, Federal Bldg. & U.S. Post Office 657 Second Ave. North	701-237-5771 Ext. 5285
<b>Nebr.</b>	Lincoln 68508 320 Federal Bldg. & U.S. Courthouse 129 North Tenth St.	402-475-3395	<b>Ohio</b>	Cincinnati 45202 5514-B Federal Bldg. 550 Main Street	513-684-2975 or 513-684-2976
	Omaha 68102 711 Federal Bldg. 106 South 15th Street	402-221-4644		Cleveland 44199 181 Federal Bldg. 1240 East Ninth Street	216-522-4000 or 216-522-4001
<b>Nev.</b>	Carson City 89701 203 Federal Bldg. 705 North Plaza St.	702-882-2085		Columbus 43215 255 Federal Bldg. and U.S. Courthouse 85 Marconi Blvd.	614-469-5620
<b>NH</b>	Concord 03301 424 Federal Bldg. 55 Pleasant Street	603-224-1887		Toledo 43604 534 Federal Bldg. 234 Summit Street	419-259-7486 or 419-259-7487
<b>N. Mex.</b>	Albuquerque 87101 1106 Federal Office Bldg. 517 Gold Ave. S.W.	505-843-2241	<b>Okla.</b>	Oklahoma City 73102 240 Old Post Office and Courthouse 215 Northwest Third St.	405-231-4496



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State	Address	Telephone	State	Address	Telephone
<b>Oreg.</b>	Portland 97204 450 Multnomah Bldg. 319 S. W. Pine St.	503-221-3102	<b>Tex.</b>	Houston 77002 8610 Federal Bldg. & U.S. Courthouse 515 Rusk Ave. P.O. Box 61212 Houston Tex. 77061	713-226-4241
<b>Pa.</b>	Harrisburg 17108 508 Federal Bldg. 228 Walnut Street P.O. Box 869	717-782-4437	mailing address	San Antonio 78205 301 Broadway Bldg. Room 206	512-225-5511 Ext. 4318
	Philadelphia 19102 1518 Walnut Street Room 1600	215-597-4449 or 215-597-4453	<b>Utah</b>	Salt Lake City 84111 5239 Federal Bldg. 125 South State Street	801-524-5680
	Pittsburgh, 15222 2111 Federal Building 1000 Liberty Avenue	412-644-2929	<b>Vt.</b>	Montpelier 05602 52 State Street Room 5	802-223-6001
	Scranton 18503 309 U.S. Post Office North Washington Ave. and Linden Street	717-344-7111 Ext. 324	<b>Va.</b>	Richmond 23240 10-502 Federal Bldg. 400 North Eighth Street	703-782-2541
<b>RI</b>	Providence 02903 187 Westminster Street Room 402	401-528-4306		Roanoke 24011 5104 F. B. Thomas Bldg. 215 Campbell Ave. S.W.	703-343-1581
<b>SC</b>	Columbia 29201 300 Columbia Bldg. 1200 Main Street	803-765-5586	<b>Wash.</b>	Seattle 98101 6130 Arcade Bldg. 1319 Second Ave.	206-442-5421
<b>S. Dak.</b>	Pierre 57501 369 Federal Bldg.	605-224-2812	<b>W. Va.</b>	Charleston 25301 3108 Federal Bldg. 500 Quarrier Street	304-343-6181 Ext. 229
<b>Tenn.</b>	Memphis 38103 933 Federal Bldg. 167 North Main St.	901-534-3437		Wheeling 26003 416 Old Post Office Bldg. 12th & Chapline Streets	304-232-6960
	Nashville 37203 1808 West End Bldg. Suite 803	615-749-5391	<b>Wis.</b>	Madison 53703 139 West Wilson Street Room 206	608-256-4441 Ext. 4718
<b>Tex.</b>	Amarillo 79101 1012 Herring Plaza 317 East Third St.	806-376-2138		Milwaukee 53203 135 West Wells Street Room 807	414-224-3183
	Dallas 75202 Room 13C12 1100 Commerce St.	214-749-3691	<b>Wyo.</b>	Casper 82601 1006 Federal Bldg. & Post Office 100 East B. Street	307-265-5550 Ext. 3243
	Fort Worth 76102 9A27 Fritz Garland Lanham Federal Bldg. 819 Taylor Street	817-334-2794			